

# 007

THE ONTARIO HUMAN RIGHTS CODE, 1961-62

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IN THE MATTER OF a complaint by Miss Valora Wayner, that she was denied the occupancy of an apartment in a building that contains more than three self-contained dwelling units because of her race and colour on or about May 8, 1965, in the City of Windsor at the building known as Elm Apartments, 1077 Riverside Drive West, Windsor, Ontario, owned by Mr. Morris Mossman of the City of Windsor, Ontario.

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R E P O R T  
OF  
BOARD OF INQUIRY

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Board of Inquiry - His Honour, Judge L. A. Deziel

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Appearances:

Charles L. Dubin, Q.C.

Counsel for The Ontario Human Rights  
Commission.

Milton C. Meretsky, Q.C.

Counsel for Morris Mossman

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To The Ontario Human Rights Commission and to the Honourable H. L. Rowntree, Minister of Labour of the Province of Ontario.

Gentlemen:

Pursuant to my appointment by the Minister of Labour on the 14th day of June, 1965, as a Board of Inquiry under the Ontario Human Rights Code to inquire into the above-mentioned complaint, I arranged for a hearing to be held on the 7th day of July, 1965, in Courtroom No. 1 in the County Court Court House at Windsor, Ontario.

Before opening the hearing, Counsel met with me to discuss the course that the Inquiry might take, and it was indicated to me at that time that a settlement of the matter complained of was being discussed, and would probably be reached.

Immediately after opening the hearing, and on representations made by Mr. Dubin, I recessed the hearing to enable Counsel for the parties concerned to negotiate.



After consultation, I was advised that a settlement had been reached, subject to my approval, and after the terms of the settlement were outlined, I indicated I would be quite prepared to approve the same.

Minutes of Settlement were prepared and signed by Mr. Mossman in the following terms:

"1. Mr. Mossman agrees to provide to Miss Valora Wayner a one bedroom, furnished apartment with kitchenette at Earl Apartments, 1077 Riverside Drive West, Windsor, Ontario, on or before September 1st, 1965, at a monthly rental of Sixty-five dollars.

2. Mr. Mossman agrees to write to the caretakers of premises owned by him, or with respect to which he is associated in ownership, and to which the Ontario Human Rights Code applies, a letter of instructions advising them that it is his policy to abide by the Ontario Human Rights Code with respect to the rental of apartment suites, and instructing them to post prominently on those premises the Ontario Human Rights Code card.

3. Mr. Mossman agrees to furnish, in writing, the following apology to Miss Wayner, with a copy to be forwarded to Dr. Louis Fine, Chairman of the Ontario Human Rights Commission, in the following words:

"Dear Miss Wayner:

This letter is to assure you that it was never our intention to discriminate against you by reason of your race, colour or creed. In this respect, there appears perhaps to have been a misunderstanding, and I want to apologize to you if it did appear that you were being so discriminated against."

4. Mr. Mossman agrees to write the following letter to Dr. Louis Fine, Chairman, Ontario Human Rights Commission, 1260 Bay Street, Toronto 5, Ontario:

"Dear Dr. Fine:

I want to assure you that henceforth it will be our intention and policy in the rental of suites covered by the Ontario Human Rights Code, of any premises of which I am the owner or associated in the ownership, to comply in every respect with the provisions of the Ontario Human Rights Code."

The letters referred to in the Minutes of Settlement were duly signed, and the letter to Miss Wayner was delivered to her. The letter to Dr. Fine was to be delivered to him by Counsel for the Commission.

The hearing was reconvened and I was formally advised of the settlement, and I then read the Minutes of Settlement



into the record.

I recommend that in view of the matters outlined in this report, that no further action regarding Miss Wynne's complaint be taken.

All of which is respectfully submitted.

(signed) L. A. Deziel

BOARD OF INQUIRY

DATED at Windsor, Ontario, this 9th day of July, 1965.



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